

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

UNITED STATES OF AMERICA

v.

DANIEL KAMEN,
Defendant.

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CRIM. NO. 04-10384-PBS

GOVERNMENT'S SUMMARY OF TESTIMONY TO
BE OFFERED UNDER FED. R. EVID. 702

The United States of America, by and through its attorneys, United States Attorney Michael J. Sullivan and Assistant United States Attorney Paul R. Moore, pursuant to Fed. R. Crim. P. 16(a)(1)(E) and (b)(1)(C), respectfully submits this summary of expert testimony it expects to elicit at trial and the qualifications of the testifying witnesses.

1. John Madama

A. Summary of Anticipated Testimony

John Madama is a digital imaging specialist who will testify at trial in this matter that the depictions found in the videotapes involved in this matter actually contained real images of human beings. Mr. Madama will apply eight criteria in his analysis to support realism. Those criteria will include the following: (1) Do the images appear to be real images (or could a computer artist have created the images), (2) Appearance of the Skin, (3) Appearance of the Hair, (4) Appearance of Light and Shadows, (5) Appearance of Expressive Features, (6) Indications of Time (and technology then used to produce images), (7) Appearance of a Series of Images (indicated realism), (8) Appearance of Digital Composite characteristics (seams, hanging pixels, light and shadow inconsistencies, color and modeling inconsistencies, incorrect sizing of image components).

It is anticipated that Mr. Madama will testify that the individuals seen in the images at issue in this matter are in fact, in his expert opinion, real images, given the application of the eight criteria as described.

B. Summary of Witness Qualifications and Bases for Opinions

John Madama is a recognized digital imaging specialist who has previously been qualified as an expert in similar matters. He has a Bachelor of Science degree in Environmental Science from Rutgers University (1967), acquired a Masters in Human Physiology at Fairleigh Dickinson University (1969), and completed a Fellowship in Environmental Science at Tufts University (1977).

Mr. Madama is currently (since 1990) an Instructor in Digital Imaging, Publishing and Illustration at Harvard University as well as the Massachusetts Institute of Technology. He also currently serves as an Instructor in Digital Image Processing for Video Production at WGBH-TV and teaches in the subject(s) at Gloucester and Somerville Public Schools.

From 1980 through 1989, Mr. Madama was the Executive Director / Producer for Media Action (directed a media arts center with full production capability for video, audio and graphic art) and was a Software Designer for Intentional Educations and Production Director for Management Sciences for Health. He also served as Illustrator for Avatar, Inc. (technical drawings for computer hardware) and was an Instructor (desktop publishing) at Harvard University.

From 1970 through 1979, Mr. Madama held additional positions with the Somerville Public Schools (Project Director / Curriculum Developer), the Boston Zoological Society (Writer / Production Director), City of Somerville (Education Consultant), Herter Science Center (Director) and the Massachusetts Audobon Society (Outdoor Education Specialist).

From 1967 through 1970, Mr. Madama was a Clinical Microbiologist at United Medical Center.

Mr. Madama's publications include "Digital Imaging with Adobe Photoshop" (Harvard University, 2003), "Digital Imaging and Forensics" (United States Department of Justice, 2002), "Computer Graphics with Adobe Illustrator" (Massachusetts Institute of Technology, 2001),

“Essentials of Biology” (Holt, Rhinehart and Winston, 1998), “Trees, People and Places,” (Massachusetts Forestry Council, 1997), “Kids Count: All our Children,” Massachusetts Committee for Children and Youth, 1994), “Desktop Publishing: The Art of Communication,” (Learner Publications, 1993), “Focus on Science,” (Tufts University, 1990) and numerous other articles (available upon request).

Mr. Madama’s “Digital Technology Clients” include the United States Department of Justice, the United States Postal Inspection Service, the Nashua, New Hampshire County Prosecutor’s Office, the Harvard School of Public Health, Duke University, Tufts University, the New England Medical Center, Reebok, Learner Publications, Time-Life Books, and Holt, Rinehart and Winston Publishers.

Respectfully submitted,

MICHAEL J. SULLIVAN
United States Attorney

By: /s/ Paul R. Moore
Paul R. Moore
Assistant U.S. Attorney

March 7, 2006

CERTIFICATE OF SERVICE

I hereby certify that a true copy of the above document was served upon the attorneys for defendant Daniel Kamen, on March 7, 2006, via electronic filing.

/s/ Paul R. Moore
Paul R. Moore
Assistant U.S. Attorney

March 7, 2006